

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSEPH DRIES,

Plaintiff,

V.

SPRINKLR, INC., a Delaware corporation,

Defendant.

Case No. C20-47-MLP

**ORDER RE: MOTION TO REOPEN
PLAINTIFF'S DEPOSITION**

Before the Court is Defendant's Motion under Federal Rule of Civil Procedure 30(d) to
en Plaintiff's Deposition ("Defendant's Motion"). (Dkt. # 55.) Rule 30(d)(1) limits
tions to one day of seven hours, but "[t]he court must allow additional time consistent with
6(b)(1) and (2) if needed to fairly examine the deponent or if the deponent, another person
other circumstance impedes or delays the examination." Fed. R. Civ. P. 30(d)(1). In
on, the Court may impose sanctions, reasonable expenses and attorney's fees incurred by
rty, on a "person who impedes, delays, or frustrates the fair examination of the deponent."
. Civ. P. 30(d)(2).

Here, Defendant has demonstrated that due to Plaintiff's counsel's failure to timely produce relevant text messages involving Plaintiff's claims, additional deposition time is

1 warranted to fairly examine Plaintiff. *See* Fed. R. Civ. P. 30(d)(1). Accordingly, having
2 considered the arguments made by Defendant, the evidence in support of the motion, and
3 Plaintiff's lack of opposition, the Court ORDERS that Defendant's Motion is GRANTED in part
4 and DENIED in part as follows:

5 (1) Defendant's Motion to Reopen Deposition is GRANTED. Plaintiff's deposition is
6 to be re-opened for no more than two hours and may occur after the October 23,
7 2020 discovery cutoff date.

8 (2) Defendant's request for an award of attorney fees and costs associated with its
9 Motion is DENIED.

10 (3) The Clerk is directed to send a copy of this Order to the parties.

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12 Dated this 16th day of October, 2020.

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15 MICHELLE L. PETERSON
16 United States Magistrate Judge
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